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BRYAN E. GLYNN

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BRYAN E. GLYNN,

Plaintiff,

v.

LA LOUNGE LLC,

Defendant.

CASE NO.: 2:18-cv-06774

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT**

JURY TRIAL DEMANDED

COMPLAINT FOR COPYRIGHT INFRINGEMENT
(INJUNCTIVE RELIEF DEMANDED)

Plaintiff BRYAN E. GLYNN by and through his undersigned counsel,
brings this Complaint against Defendant LA LOUNGE LLC for damages and
injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff BRYAN E. GLYNN (“Glynn”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Glynn’s original copyrighted Works of authorship.

2. Bryan E. Glynn is an experienced professional photographer. Glynn is a master of lighting with extensive experience in using both natural light and flashes to get spectacular results in any environment. Glynn also is the founder of CigarObsession (at www.cigarobsession.com) and the producer of one of the most popular cigar video review YouTube channels.

3. Over the years, Glynn has worked in different areas of photography including architecture, weddings, models, landscapes, concerts, sports, and tabletop. Glynn has won many awards, both local and National, and his photographs have been published in magazines and newspapers across the country. Glynn's work can be identified at a glance for its crisp almost 3D look without using HDR; instead he uses off camera flash for dimension and pop, especially in his product work, which produces incredible details and dimension that stand out like a fingerprint for clients.

4. Defendant LA LOUNGE LLC (“LA Lounge”) is a cigar retailer and lounge.

1 5. Glynn alleges that LA Lounge copied Glynn's copyrighted works
2 from the internet in order to advertise, market and promote its business activities.
3 LA Lounge committed the violations alleged in connection with LA Lounge's
4 business for purposes of advertising and promoting sales to the public in the course
5 and scope of LA Lounge's business.

6 **JURISDICTION AND VENUE**

7 6. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

8 7. This Court has subject matter jurisdiction over these claims pursuant
9 to 28 U.S.C. §§ 1331, 1338(a).

10 8. LA Lounge is subject to personal jurisdiction in California.

11 9. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and
12 1400(a) because the events giving rise to the claims occurred in this district,
13 Defendant engaged in infringement in this district, Defendant resides in this
14 district, and Defendant is subject to personal jurisdiction in this district.

15 **DEFENDANT**

16 10. La Lounge LLC is a California limited liability company with its
17 principal place of business at 2521 West Manchester Boulevard, Inglewood,
18 California, 90305, and can be served by serving its Registered Agent, Mr. Larry
19 Solomon, at the same address.

THE COPYRIGHTED WORKS AT ISSUE

11. In 2015, Glynn created 3 photographs entitled “150402pgpr0001-Edit”, “201208181adcer0001-edit”, and “20130708hul001-edit” which are shown below and referred to herein as the “Works”.



150402pgpr0001-edit



201208181adcer0001-edit



20130708hul001-edit

1 12. At the time he created the Works, Glynn applied copyright
2 management information to the Works consisting of a logo in the bottom left hand
3 corner.

4 13. Glynn registered the Works with the Register of Copyrights on
5 January 21, 2017 and was assigned the registration number VAu 1-271-409. The
6 Certificate of Registration is attached hereto as Exhibit 1.

7 14. At all relevant times Glynn was the owner of the copyrighted Works
8 at issue in this case.

9 **INFRINGEMENT BY DEFENDANT**

10 15. LA Lounge has never been licensed to use the Works at issue in this
11 action for any purpose.

12 16. On a date after the Works at issue in this action was created, but prior
13 to the filing of this action, LA Lounge copied the Works.

14 17. LA Lounge copied Glynn's copyrighted Works without Glynn's
15 permission.

16 18. After LA Lounge copied the Works, it made further copies and
17 distributed the Works on the internet to promote the sale of goods and services as
18 part of its cigar sales and lounge business.

19 19. LA Lounge copied and distributed Glynn's copyrighted Works in
20 connection with LA Lounge's business for purposes of advertising and promoting
21

1 LA Lounge's business, and in the course and scope of advertising and selling
2 products and services.

3 20. Glynn's Works are protected by copyright but are not otherwise
4 confidential, proprietary, or trade secrets.

5 21. LA Lounge committed copyright infringement of the Works as
6 evidenced by the documents attached hereto as Exhibit 2.

7 22. Glynn never gave LA Lounge permission or authority to copy,
8 distribute or display the Works at issue in this case.

9 23. Glynn notified LA Lounge of the allegations set forth herein on April
10 4, 2018 and April 19, 2018.

11 24. When LA Lounge copied and displayed the Works at issue in this
12 case, LA Lounge removed Glynn's copyright management information from the
13 Works.

14 25. Glynn never gave LA Lounge permission or authority to remove
15 copyright management information from the Works at issue in this case.

16 **COUNT I**
17 **COPYRIGHT INFRINGEMENT**

18 26. Plaintiff incorporates the allegations of paragraphs 1 through 25 of
19 this Complaint as if fully set forth herein.

20 27. Glynn owns a valid copyright in the Works at issue in this case.
21

1 Glynn's rights in the Works at issue in this action protected under the Copyright
2 Act.

3 37. LA Lounge caused, directed and authorized others to commit these
4 acts knowing or having reasonable grounds to know that it will induce, enable,
5 facilitate or conceal infringement of Glynn's rights in the Works at issue in this
6 action protected under the Copyright Act.

7 38. Glynn has been damaged.

8 39. The harm caused to Glynn has been irreparable.

9 WHEREFORE, the Plaintiff prays for judgment against the Defendant LA
10 Lounge LLC that:

11 a. Defendant and its officers, agents, servants, employees, affiliated
12 entities, and all of those in active concert with them, be preliminarily and
13 permanently enjoined from committing the acts alleged herein in violation of 17
14 U.S.C. §§ 501, 1203;

15 b. Defendant be required to pay Plaintiff his actual damages and
16 Defendant's profits attributable to the infringement, or, at Plaintiff's election,
17 statutory damages, as provided in 17 U.S.C. §§ 504, 1203.

18 c. Plaintiff be awarded his attorneys' fees and costs of suit under the
19 applicable statutes sued upon; and
20
21

1 d. Plaintiff be awarded such other and further relief as the Court deems
2 just and proper.

3 **JURY DEMAND**

4 Plaintiff hereby demands a trial by jury of all issues so triable.

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6
7 DATED: August 7, 2018

/s/ Jonah A. Grossbardt

JONAH A. GROSSBARDT

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